IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 7278 of 2007(N)

PETITIONER:

K.M.M. ENGLISH MEDIUM HIGH SCHOOL &
JUNIOR COLLEGE, PERUMPADAPPU P.O.,
PONNANI TALUK, MALAPPURAM DISTRICT,
REPRESENTED BY ITS CHAIRMAN, K.V.MOHAMMED.

BY ADV. SRI.NOUSHAD THOTTATHIL
SRI.NOORJI NOUSHAD

RESPONDENTS:

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1. THE ASSISTANT PROVIDENT FUND
COMMISSIONER, EMPLOYEES PROVIDENT FUND
ORGANISATION, SUB-REGIONAL OFFICE,
BHAVISHYANIDHI BHAVAN, P.B.NO.1806,
ERANHIPALAM P.O., KOZHIKODE, PIN-673 006.

2. THE ENFORCEMENT OFFICER,
EMPLOYEES PROVIDENT FUND ORGANISATION,
SUB-REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN,
P.B.NO.1806, ERANHIPALAM P.O., KOZHIKODE,
PIN CODE-673 006.

BY ADV.SRI.THOMAS MATHEW NELLIMOOTTIL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/03/2007, ALONGWITH W.P(C).7321/07, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).Nos.7278 & 7321 OF 2007

Dated this the 5th day of March, 2007

JUDGMENT

These writ petitions are by essentially the same trust, which is a Wakf. W.P(C).7278/07 relates to school and W.P(C). 7321/07 relates to hospital. It is a case where there are sufficient controversies within the trust that the committee that was in office preceding the present are alleged to have made certain appointments, which are bogus. Under such circumstances, I deem it appropriate that the petitioners in these cases are given an opportunity of hearing by the competent among the respondents by entertaining their review petitions, notwithstanding the time limits. Hence, the review petitions filed by the petitioners shall be taken up, considered and decided after giving the petitioners an opportunity of being heard and that shall be done within a period of four weeks from the date of receipt of a copy of this judgment, untrammelled by anything stated therein. Until a decision is taken as aforesaid,

distress action against the petitioner will stand suspended. The department will, however, be at liberty to retain the R.C. books of the school buses.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.